

Senate File 254 - Introduced

SENATE FILE 254

BY EVANS

A BILL FOR

1 An Act relating to rural electric cooperative notification
2 requirements for installations in right-of-way structures.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 476.1A, subsection 2, Code 2023, is
2 amended to read as follows:

3 2. However, sections 476.20, subsections 1 through 4,
4 476.21, 476.21A, 476.51, 476.56, 476.62, and 476.66 and
5 chapters 476A and 478, to the extent applicable, apply to such
6 electric utilities.

7 Sec. 2. NEW SECTION. 476.21A Rights-of-way notification —
8 **rural electric cooperatives.**

9 1. As used in this section:

10 a. "*Fixture*" means any equipment, structure, or other
11 improvement to land required to be constructed or installed by
12 a rural electric cooperative.

13 b. "*Right-of-way*" means a right-of-way or other interest in
14 real estate that is owned, operated, occupied, or managed on or
15 on behalf of a rural electric cooperative.

16 2. A rural electric cooperative installing a fixture in
17 a right-of-way shall provide written notice to be delivered
18 by certified mail to a landowner upon whose property the
19 right-of-way has been granted no later than thirty days before
20 installation and an additional written notification delivered
21 by certified mail prior to installation.

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with
24 the explanation's substance by the members of the general assembly.

25 This bill relates to rural electric cooperative notification
26 requirements for installations in right-of-way structures.

27 The bill provides that rural electric cooperatives are
28 subject to the regulation authority of the board regarding
29 rights-of-way installation pursuant to Code section 476.21A.
30 The bill defines "fixture" and "right-of-way". The bill
31 provides that a rural electric cooperative installing a
32 fixture in a right-of-way shall provide written notice by
33 certified mail to the landowner no later than 30 days before
34 installation, as well as an additional written notice delivered
35 by certified mail prior to installation.